

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:	)	Bankruptcy No. 23-21972-GLT
	)	
RICHARD A. BELL	)	Chapter 13
	)	
Debtor	)	Objection to Confirmation of Chapter
	)	13 Plan of Bankruptcy
MAYBROOK-C BRIARCLIFF	)	
OPCO LLC D/B/A THE GROVE AT	)	
IRWIN,	)	
	)	
Movant	)	
	)	
vs.	)	
	)	
RICHARD A. BELL,	)	
	)	
Respondent.	)	
	)	

AND NOW COMES Maybrook-C Briarcliff Opco LLC D/B/A the Grove at Irwin, by and through its counsel, Michael Nicoletta, and files this objection to the Respondent's Chapter 13 Plan of Bankruptcy, and in support thereof states as follows:

1. On September 18, 2023, Respondent filed a petition under Chapter 13 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Western District of Pennsylvania (the “Petition”).
2. On October 30, 2023, Respondent filed a Chapter 13 Plan at Docket Item 16 (the “Plan”).
3. On October 30, 2023, Respondent filed a Proof of Income at Docket Item 15-1 stating that Petition receives income in the amount of \$2815 per month.

4. On October 30, 2023, Respondent filed a Summary of Assets and Liabilities at Docket Item 15 (the "SOAL") that lists among his assets cash on deposit in the aggregate amount of \$37,085.36 and an investment account with a value of \$30,998.64.

5. Respondent's SOAL states that his monthly expenses are \$2,276 and his monthly net income is \$539.

6. Respondent's SOAL states that he owns four motor vehicles and seven firearms.

7. Respondent's Plan alleges that Respondent will pay \$2,665 per month to the Trustee for 60 months.

8. The Court should deny confirmation of Respondent's Plan because, pursuant to 11 U.S.C §1325(a)(4) the value of property to be distributed under the Plan on account of each unsecured claim is not less than the amount that would be paid on such claim if the estate of the debtor were liquidated under chapter 7 of this title.

9. The Court should deny confirmation of Respondent's Plan because, pursuant to 11 U.S.C §1325(a)(6) Respondent will not be able to make all payments under the Plan and comply with the Plan.

WHEREFORE, for the reasons set forth above, Movant respectfully requests that this Honorable Court enter an Order denying confirmation of Respondent's Chapter 13 Plan of Bankruptcy.

Respectfully submitted,

By: /s/ Michael G. Nicolella  
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Counsel for: MAYBROOK-C BRIARCLIFF OPCO  
LLC D/B/A THE GROVE AT IRWIN

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

**RICHARD A. BELL**

**Debtor**

**MAYBROOK-C BRIARCLIFF  
OPCO LLC D/B/A THE GROVE AT  
IRWIN,**

**Movant**

**VS.**

**RICHARD A. BELL,**

**Respondent.**

**Bankruptcy No. 23-21972-GLT**

## Chapter 13

## ORDER OF COURT

**Initial Confirmation Hearing:  
December 4, 2023**

AND NOW, the \_\_\_\_ day of \_\_\_\_\_, 2023, the Court hereby ORDERS, ADJUDGES, and DECREES that confirmation of Debtor's Chapter 13 Plan of Bankruptcy is DENIED.

SO ORDERD, the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Gregory L. Taddonio

United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	)	<b>Bankruptcy No. 23-21972-GLT</b>
	)	
<b>RICHARD A. BELL</b>	)	<b>Chapter 13</b>
	)	
<b>Debtor</b>	)	<b>CERTIFICATE OF SERVICE</b>
	)	
<b>MAYBROOK-C BRIARCLIFF</b>	)	<b>OBJECTION TO CONFIRMATION</b>
<b>OPCO LLC D/B/A THE GROVE AT</b>	)	
<b>IRWIN,</b>	)	
	)	<b>Initial Confirmation Hearing:</b>
	)	<b>December 4, 2023</b>
<b>Movant</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>RICHARD A. BELL,</b>	)	
	)	
<b>Respondent.</b>	)	
	)	

I hereby certify that a true and correct copy of the Objection to Confirmation of Chapter 13 Plan has been served upon Respondent and all parties in interest via electronic filing and has been served upon Respondent additional via email.

Dated November 27, 2023

By: /s/ Michael G. Nicolella  
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